

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**IN RE: ROBERT TIMOTHY MILLER
STACIA LEZETTE MILLER,
Debtors.**

**Case No. 14-74074-FJS
Chapter 13**

NOTICE OF MOTION

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, on or before twenty-one (21) days from the date of this notice, you or your attorney must:

x File with the Court, at the address shown below, a written request for a hearing (or a written response pursuant Local Bankruptcy Rule 9013-1 (H)). If you mail your request for a hearing (or response) to the Court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
600 Granby Street
Norfolk, VA 23510

You must also mail a copy to:

Timothy R. Douglass, Esq.
John W. Lee, P.C.
291 Independence Blvd., 530
Virginia Beach, VA 23462

 Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. If no timely response has been filed opposing the relief requested the court may grant the relief without holding a hearing.

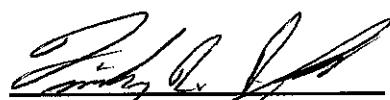
____ Attend the hearing scheduled on the Motion (or objection) to be held on
____ at _____ a.m./ p.m. at the United States Bankruptcy Court

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and enter an order granting that relief.

Counsel For:
ROBERT TIMOTHY MILLER
STACIA LEZETTE MILLER

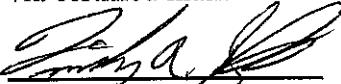
7/30/2015

Date


Timothy R. Douglass, Esq.
VSB No. 72901
John W. Lee, P.C.
291 Independence Blvd., Ste. 530
Virginia Beach, VA 23462
(757) 961-8553

Certificate of Service

I hereby certify that I mailed a true and accurate copy of the foregoing to the Trustee, the US Trustee, the debtor, and all creditors listed on the attached List of Service, pursuant to Rule 7004 of the Federal Rules of Bankruptcy procedure, on this 30th day of July 2015. Parties noted with an * were served via certified mail.


Timothy R. Douglass

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**IN RE: ROBERT TIMOTHY MILLER
STACIA LEZETTE MILLER,
Debtors.** **Case No. 14-74074-FJS
Chapter 13**

MOTION FOR AUTHORITY

TO INCUR DEBT SECURED BY PERSONAL PROPERTY

NOW COME the debtors, Robert Timothy Miller and Stacia Lezette Miller, by counsel, and file this Motion for Authority to Incur Debt Secured By Personal Property pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Bankruptcy Rules 9013-1, and respectfully state to the Court as follows:

1. This Court has exclusive jurisdiction over this matter pursuant to 28 U.S.C. §1334.
2. This proceeding is a core proceeding under 28 U.S.C. §157(b)(2)(A), (B), (K), and (O).
3. Venue is proper pursuant to 28 U.S.C. §1409.
4. That on November 7, 2014, the debtors filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code.

*Timothy R. Douglass,, Esq. (VSB No. 72901
John W. Lee, P.C.
291 Independence Blvd., Ste. 530
Virginia Beach, VA 23462
757-961-8553*

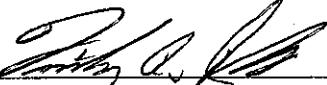
5. Debtors filed their Amended Chapter 13 Plan on December 7, 2014, which Plan was confirmed by Order of the Court on February 24, 2015.
6. Debtors seek to finance a 2014 Chevrolet Malibu or a substantially similar vehicle from R.K. Chevrolet, Inc.
7. The terms of the proposed loan are as follows:
 - a. The purchase price is approximately \$18,475.00;
 - b. The down payment is approximately \$2,500.00;
 - c. Approximately \$880.93 for taxes and licensing fees;
 - d. Approximately \$649.00 for the Processing Fees;
 - e. Approximately \$700.00 for GAP coverage;
 - f. Total amount of the loan financed is approximately \$18204.53;
 - g. Fixed interest rate, which is approximately 18.990%;
 - h. Amortized for approximately 66 months;
 - i. Approximate monthly principal and interest payments will be \$449.74.
8. Debtors' 2001 Cadillac DeVille has several severe mechanical issues and is no longer reliable, and Mr. Miller is in need of a reliable vehicle to drive to and from work. Debtors have no other vehicles.
9. Mrs. Miller has recently procured new employment with DSR Group, LLC which will be paying \$10 per hour with potential commission while working from home. This income will be the source of funds to make the new auto payments.
10. Debtors will file amended Schedules I and J to address the new car payment and Mrs. Miller's new income in their monthly budget.

11. Debtors request that the Court authorize their Motion to Incur Debt as stated herein.

WHEREFORE, the debtors pray that this Court enter an Order: (1) permitting Debtors to incur new debt as set forth herein; (2) directing that the loan approved hereby be applied to the costs of the new vehicle as set forth herein; and (3) for such other relief as this court deems appropriate.

Respectfully Submitted,

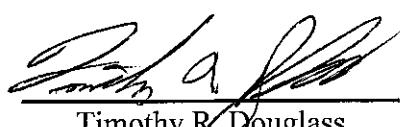
ROBERT TIMOTHY MILLER
STACIA LEZETTE MILLER

By 

Timothy R. Douglass, Esq. (VSB No. 72901)
John W. Lee, P.C.
291 Independence Blvd., Ste 530
Virginia Beach, VA 23462

Certificate of Service

I hereby certify that I mailed a true and accurate copy of the foregoing to the Trustee, U.S. Trustee, the debtors, and all creditors listed on the attached List of Service, pursuant to Rule 7004 of the Federal Rules of Bankruptcy procedure, on this 30th day of July 2015. Parties noted with an * were served via certified mail


Timothy R. Douglass

LIST OF SERVICE

Office of the U.S. Trustee
Federal Building, Room 625
200 Granby Street
Norfolk, VA 23510-0000

Craig W.T. Estrada, DDS
1354 Kempsville Road
Suite 101
Chesapeake, VA 23320-0000

Michael P. Cotter
Chapter 13 Trsutee
870 Greenbrier Circle, Ste 402
Chesapeake, VA 23320

Credit Collection Services
P O Box 9135
Needham Heights, MA 02494-0000

Robert and Stacia Miller
5848 Magnolia Chase Way, Apt. #205
Virginia Beach, VA 23464

Credit Collections Services
2 Wells Ave
Dept 9133
Newton Center, MA 02459-0000

Aargon Agency Inc
8668 Spring Mountain rd.
Las Vegas, NV 89117-0000

Department of Education/Sallie
P.O. Box 9635
Wilkes Barre, PA 18773-0000

American Education Services
Atten: Acnt. Dept.
Payment Center
Harrisburg, PA 17130-0000

Dish Network
Atten: Billing Dept.
P.O. Box 94063
Palatine, IL 60094-4063

CBE Group
1309 Technology Pkwy
Cedar Falls, IA 50613-0000

Diversified Consultants, Inc
P.O. Box 551268
Jacksonville, FL 32255-1268

City of Virginia Beach
Public Utilities and Public Wo
2401 Courthouse Dr., Bldg. 1
Virginia Beach, VA 23456-0000

Dominion Power
Atten: Bk Dept.
P.O. Box 26543
Richmond, VA 23290-0000

Coleman Bridge
Violation Processing Center
P.O. Box 1234
Clifton Forge, VA 24422-0000

Elizabeth River Tunnel
700 Port Centre Pkwy
Suite 2B
Portsmouth, VA 23704-0000

Enterprise Recovery Systems
P.O. Box 5169
Hinsdale, IL 60522-0000

Global Lending Service
Atten: Acctng. Dept.
5 Concourse Pkwy, NE, Ste.2925
Atlanta, GA 30328-0000

EOS CCA
700 Longwater Drive
Norwell, MA 02061-0000

Global Payment Check Service
6215 W. Howard Street
Niles, IL 60714-3403

Equidata
P.O. Box 6610
Newport News, VA 23606-0000

Heights Finance Corp
Atten: Acctng. Dept.
2015 N. Green River Road
Evansville, IN 47715-0000

ERC o/b/o Suntrust Bank
8014 Bayberry Road
Jacksonville, FL 32256-0000

Hoosier Accounts Service
P.O. Box 4007
Evansville, IN 47724-0000

Federal Loan Servicing Credit
Atten: Accounting Dept.
P.O. Box 60610
Harrisburg, PA 17106-0000

HRSD
1434 Air Rail Ave
Virginia Beach, VA 23455-0000

First Virginia Financial Svcs
687 Lynnhaven Pkwy
Suite 120
Virginia Beach, VA 23456-0000

Medical and Professional
P.O. Box 1116
Newburgh, IN 47630-0000

Foster Denistry, PLLC
Cosmetic Family and Implant De
609 Lynnhaven Pkwy
Virginia Beach, VA 23452-0000

National Recovery Service
2491 Paxton Street
Harrisburg, PA

GC Services Limited Partnershi
P.O. Box 2545
Houston, TX 77252-0000

Receivable Performance Mangmen
20816 44th Avenue, W
Lynnwood, WA 98036-0000

Terry S. Richards, Sr.
2908 Idlewild Bvd, N.E.
Roanoke, VA 24012-0000

Tiffany and Tiffany, P.L.L.C.
770 Independence Blvd.
Suite 200
Virginia Beach, VA 23455-0000

Verizon
Atten: Collection Dept.
P.O. Box 5029
Wallingford, CT 06492-0000

Weltman Weinberg & Reis Co LPA
323 W. Lakeside Ave. 2nd Floor
Cleveland, OH 44113-0000